

REMARKS

Claims 1, 14-15, 16 and 27-28 stand rejected under 35 USC 102(b) as being anticipated by Prevost (US Patent No. 6,723,412). Claims 1 and 14-15 stand rejected under 35 USC 102(b) as being anticipated by Squires (US Patent Publ. No. 2002/0132099). Claims 1-8, 10-12, 14-21, 23-25 and 27-28 stand rejected under 35 USC 103(a) as being obvious over Prevost in view of Ishikawa (US Patent No. 5,601,886). Claims 1-8, 10-12, 14-21, 23-25 and 27-28 stand rejected under 35 USC 103(a) as being obvious over Squires in view of Ishikawa. Claims 1-8, 10-12, 14-21, 23-25 and 27-28 stand rejected under 35 USC 103(a) as being obvious over Burk (US Patent No. 6,472,041) in view of Prevost and Ishikawa. Claims 9 and 22 stand rejected under 35 USC 103(a) as being obvious over Squires in view of Ishikawa and Squires II (US Patent No. 6,299,959). Claims 9 and 22 stand rejected under 35 USC 103(a) as being obvious over Prevost in view of Ishikawa and Squires II. Claims 9 and 22 stand rejected under 35 USC 103(a) as being obvious over Burk, Prevost, Ishikawa and Squires II. Claims 13 and 26 stand rejected under 35 USC 103(a) as being obvious over Burk, Prevost, Ishikawa and Wood Jr. (US Patent No. 3,771,787). Claims 13 and 26 stand rejected under 35 USC 103(a) as being obvious over Prevost, Ishikawa and Wood Jr. Claims 13 and 26 stand rejected under 35 USC 103(a) as being obvious over Squires, Ishikawa and Wood Jr. Applicant has amended the claims to more particularly define the present invention over the cited prior art.

More specifically, amended claim 1 requires “a water-permeable synthetic turf layer” disposed above “a drainage layer.” The drainage layer includes adjacent, parallel rows of loop pile tufts that are tufted into a first flexible backing sheet. The synthetic turf layer includes a second flexible backing sheet and a plurality of synthetic ribbons extending upwardly from said second flexible backing sheet. The adjacent, parallel row arrangement of loop pile tufts of the drainage layer provides for lateral drainage of water which drains from said synthetic turf layer. The loop pile tufts further provide support and lateral stability to the synthetic turf layer disposed thereabove. The lateral drainage provided by the adjacent, parallel row arrangement of loop pile tufts of the drainage layer is discussed, by way of example, at page 7, lines 9 to 11, in conjunction with Figure 2 arrow B of the present application. The support and lateral stability provided by the drainage layer is discussed, by way of example at page 6, lines 1 to 3 and 11 to 13 of the present application. None of the cited prior art documents teach the use of loop pile tufts for a drainage layer, nor discuss the attributes of this drainage layer as recited in amended claim 1.

The Prevost reference describes the use of non-looping ribbons 7 supported by a backing member 3. See col. 7 line 51 to col. 8 line 31. The ribbons 7 are sealed with a ‘coating material “M”’ in ‘strips 45’ as illustrated in figure 7 item 45. Importantly, the ribbons 7 of Prevost are not “loop pile” tufts as recited in amended claim 1. Moreover, Prevost fails to teach or suggest a parallel row arrangement of loop pile tufts that provides for lateral drainage of water which drains from a synthetic turf layer disposed thereabove as required by amended claim 1.

In Squires, an ordered arrangement of adjacent, parallel rows of loop pile is not disclosed or even suggested for a drainage layer. Squires simply describes some ‘protrusions’, [0030] which may be construed as corrugations by figure 1, or a disordered array of ‘bedsprings’ as per [0033] and figure 2.

In addition, neither Prevost nor Squires teach or suggest an underlying drainage layer which provides support and lateral stability to a synthetic turf layer disposed thereabove. Prevost only mentions a “more resilient surface” (see col. 6 line 67), whilst Squires only describes a “softer feeling” (see paragraph [0033] line 13), which in both descriptions are associated with resilience of the turf perpendicular to the surface, not with regards to any lateral stability. Lateral stability and perpendicular resilience or softness are both important parameters for the use of a synthetic turf surface; however Squires and Prevost do not identify or discuss lateral stability at all.

Ishikawa describes the use of an alternate row of assist filaments 4 to provide support (for example, col. 3 lines 40 to 43) to the artificial grass filaments 4 as well as for reducing the compaction of the sand layer, for example col. 5 line 24 to page 6 line 4. Importantly, Ishikawa fails to teach or suggest the use of the assist filaments as part of any drainage layer as well as any suggestion that such assist filaments 4 provide drainage and support to a water-permeable synthetic turf layer that includes a flexible backing sheet disposed thereabove as required by amended claim 1.

The other cited prior art references to Burke, Squires II or Wood Jr. do not remedy the shortcomings of Prevost, Squires and Ishikawa.

Thus, the cited prior art fails to teach or suggest important features of amended claim 1. Accordingly, amended claim 1 is clearly patentable over the cited prior art. Similar arguments apply to independent claims 16 and 29.

Dependent claims 4-12, 14-15, 19-25 and 27-28 are patentable over the cited prior art for those reasons advanced above with respect to independent claims 1 and 16 from which they respectively depend and for reciting additional features that are not taught or suggested by the cited prior art.

For example, claims 10 and 23 recite that “the first flexible backing sheet is less water-permeable than the second flexible backing sheet.” Nowhere does the cited prior art teach or suggest these features.

In another example, claims 11 and 24 recite that “the first flexible backing sheet has a water permeability of less than 10%” and claims 12 and 25 recite that “the first flexible backing sheet has a water permeability of about 3-5%.” Nowhere does the cited prior art teach or suggest these features.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain

outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

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